

## Federal Housing Enterprise Oversight

## § 1702.2

### § 1701.7 Enforcement of payment.

Notwithstanding §1701.6, the Director may enforce the payment of any assessment under this part pursuant to the authorities of sections 1371 (12 U.S.C. 4631) (cease-and-desist proceedings), 1372 (12 U.S.C. 4632) (temporary cease-and-desist orders), and 1376 (12 U.S.C. 4636) (civil money penalties) of the Act.

### § 1701.8 Deposit in fund.

OFHEO shall deposit any annual assessment collected under this part in the Federal Housing Enterprise Oversight Fund established in the Treasury of the United States.

## PART 1702—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

Sec.

1702.1 Scope.

1702.2 Definitions.

1702.3 Requests for access to individual records.

1702.4 Decision to grant or deny requests for access to individual records.

1702.5 Special procedures for medical records.

1702.6 Requirements for verification of identity.

1702.7 Requests for amendment of individual records.

1702.8 Decision to grant or deny requests for amendment of individual records.

1702.9 Appeals of the initial decision to deny access to or amendment of individual records.

1702.10 Decision to grant or deny appeals.

1702.11 Disclosure of individual records to other persons or agencies.

1702.12 Accounting of disclosures.

1702.13 Requests for accounting of disclosures.

1702.14 Fees.

1702.15 Preservation of records.

1702.16 Rights of parents and legal guardians.

1702.17 Penalties.

AUTHORITY: 5 U.S.C. 552a, 12 U.S.C. 4513(b).

SOURCE: 63 FR 8844, Feb. 23, 1998, unless otherwise noted. Redesignated at 65 FR 81327, Dec. 26, 2000.

### § 1702.1 Scope.

(a) This part 1702 sets forth the procedures by which an individual may request access to records about him/her that are maintained by the Office of Federal Housing Enterprise Oversight

(OFHEO) in a designated system of records, amendment of such records, or an accounting of disclosures of such records. This part 1702 implements the provisions of the Privacy Act of 1974, as amended (Privacy Act) (5 U.S.C. 552a).

(b) A request from an individual for a record about that individual that is not contained in an OFHEO designated system of records will be considered to be a Freedom of Information Act (FOIA) (5 U.S.C. 552) request and will be processed under the FOIA.

[63 FR 8844, Feb. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

### § 1702.2 Definitions.

For the purposes of this part 1702—

*Amendment* means any correction of, addition to, or deletion from a record.

*Designated system of records* means a system of records that OFHEO has listed and summarized in the FEDERAL REGISTER pursuant to the requirements of 5 U.S.C. 552a(e).

*Individual* means a natural person who is either a citizen of the United States of America or an alien lawfully admitted for permanent residence.

*Maintain* includes collect, use, disseminate, or control.

*Privacy Act Appeals Officer* means the OFHEO employee who has been delegated the authority to determine Privacy Act appeals.

*Privacy Act Officer* means the OFHEO employee who has been delegated the authority to determine Privacy Act requests.

*Record* means any item, collection, or grouping of information about an individual that is maintained by OFHEO and that contains his/her name, or the identifying number, symbol, or other identifying particular assigned to the individual.

*Routine use*, with respect to disclosure of a record, means the use of such record for a purpose that is compatible with the purpose for which it was created.

*Statistical Record* means a record in a system of records maintained only for statistical research or reporting purposes and not used, in whole or in part, in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8.